

Exhibit A  
Resolution 25-\_\_\_\_\_

The Zoning Regulations for the Yellowstone County Jurisdictional Area are amended by revising Sections 27-1200 to correct errors, provide clarification and continuity of the regulations.

**Section 1. Section 27-1200 is amended as follows:**

**Sec. 27-1202 – APPLICABILITY**

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Table 27-1200.1 is amended as follows:

Table 27-1200.1: Landscaping Applicability

Landscape Type	Section	A	RR1, RR3	N4, RRMH, <u>N1-3, NX1-3, RMH, PD</u>	C3, CX, <u>NO, NMU, CMU1-2</u>	P1-3	I1, I2
Key: <u>O</u> = Applicable, <b>X</b> = Not Applicable							
Street Frontage	27-1204 <del>3</del>	<b>X</b>	<b>X</b>	<u>O</u> = all districts and uses <del>located on a</del> <b>with public or private street frontage</b>			
Bufferyards	27-1205 <del>4</del>	<b>X</b>	<b>X</b>	<b>X<sup>1</sup></b>	<u>O</u>	<u>O</u>	<u>O</u>
Parking Lot Landscaping	27-1206 <del>5</del>	<b>X</b>	<b>X</b>	<b>X<sup>1</sup></b>	<u>O</u> – Any parking lot with 10 or more spaces		
Tree Preservation Options	27-1207 <del>6</del>	<b>X</b>	<b>X</b>	<b>X<sup>1</sup></b>	<u>O</u>	<u>O</u>	<u>O</u>

**X<sup>1</sup> – Except where required in Table 27-1200.2**

**Sec. 1203 LANDSCAPE PLAN**

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**B. LANDSCAPE PLAN PREPARATION**

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2. Landscape plans shall be prepared as follows:

- (a) Lots of **4 1.5 acres** or larger: the plan shall be prepared by a licensed landscape architect.
- (b) Lots smaller than **4 1.5 acres**: the applicant is encouraged to work with a nurseryman or landscape design professional to meet the requirements of this article.

A list of appropriate plant species for Yellowstone County can be obtained from the Planning Department.

**Sec. 27-1204 STREET FRONTAGE LANDSCAPING**

**A. REQUIRED STREET FRONTAGE LANDSCAPING**

1. The area along any property line that abuts a public **or private** street right-of-way shall be provided a landscaped area at least five feet wide that is planted with street trees.
2. The required total number of street trees shall be calculated at one tree per 50 lineal feet of frontage. Fractions shall be rounded up to the next whole number.
3. Street trees do not need to be spaced at 50-foot intervals; the maximum interval shall be 80 feet, **and the minimum interval of 25 feet**, with decisions about landscaping design within that interval left to the discretion of the property developer in consultation with their landscape designer or landscape architect.

**B. LOCATION AND CALCULATIONS**

1. Measurement

(a) Generally: The street frontage landscape area depth is measured from the property line inward.

(b) Boulevard: Street frontage yards located along a boulevard shall be measured from the leading edge of the sidewalk. Where there is a drainage swale between the road edge and the sidewalk, the street frontage yard shall be measured from the property line inward.

2. Up to 30 percent of required street frontage landscaping may be permitted within a County **or private street easement right-of-way with the issuance of an encroachment permit permission of County public works or the owner's association.**
3. Street frontage landscape areas may overlap required yards and be located within required setbacks.
4. Access driveways shall not be subtracted from the linear frontage in calculations of the amount of landscaping required. If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining landscaping area.

**C. PLANT MATERIALS**

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3. Generally applicable plant materials standards are located in Section 27-120**87**.

Table 27-1200.2 Required Bufferyards

Key: B, B1, B2, or B3 = required bufferyard (See Table 27-1200.3 for requirements). F= Fence required per 27-105.A.3. X = no bufferyard required																	
Read DOWN columns for proposed uses		Proposed New Development															
		Agriculture			Residential: RR1, RR3, N4, N1-3, NX1-3, RMH, RRMH, PD NO, NMU			Commercial: C3, CMU1, CMU2			Public: P1, P2, P3			Heavy Commercial and Industrial: CX, I1, I2			
Structure/ Use		Ag	SFR	Non-Res	SFR		Non-Res		Mix Use	Non-Res	P1	P2	P3	CX	I1	I2	
Existing Adjacent Development	Agriculture	Ag	X	X	X	X		B1		B1	B1	X	X	X	X	X	X
		Single Family	X	X	B2	X		B2		B2	B2	X	B2	B2	B3	B3	B3
		Multi Family	X	B1	B2	B1		B2		B2	B2	X	B2	B2	B3	B3	B3
		Non-Residential	X	B2	B	B2		B		B1	B2	X	B1	B1	B2	B2	B2
	Residential	Single Family	X	X	B2	X		B2		B2	B	X	B2	B2	B3	B3	B3
		Multi Family	X	B1	B2	B1		B2		B2	B3	X	B2	B2	B3	B3	B3
		Mixed Use	X	B2	B1	B2		B1		B	B3	X	B1	B1	B2	B2	B3
		Non-Residential	X	B2	B	B2		B		B1	B1	X	B1	B1	B1	B2	B2
	Commercial	Single Family	X	X	B2	X		B2		B2	B	X	B2	B2	B3	B3	B3
		Multi Family	X	B1	B2	B1		B2		B2	B2	X	B2	B2	B3	B3	B3
		Mixed Use	X	B2	B1	B2		B1		B	B2	X	B1	B1	B2	B2	B2
		Non-Residential	X	B2	B	B2		B		B1	B2	X	B1	B1	B1	B2	B2
	Public	P1	X	X	X	X		X		X	B	X	X	X	B1	B1	B1
		P2	X	B2	B1	B3		B1		X	X	X	B	B	B3	B3	B3
		P3	X	B2	B1	B2		B1		X	B2	X	B	B	B3	B3	B3
	Industrial	CX	X	B3	B2	B3		B2		B2	B1	X	B3	B3	B	B1	B1
I1		X	B3	B2	B3		B2		B2	B2	X	B3	B3	B1	B	B1	
I2		X	B3	B2	B3		B2		B3	B2	X	B3	B3	B1	B1	B	



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## **New Section**

### **27-1205.C. Utility and Service area Screening**

A. Single family residential. To the maximum extent practicable, utility equipment on residential lots shall be located behind the front building line of the house and screened from public view by an opaque wall, fence, or landscaping screen. Alternative locations may be approved by the planning and community services director to allow for the retention of existing trees on wooded sites.

#### **B. Multifamily and non-residential.**

##### **1. Screening generally.**

(a) Site screening. All multifamily residential projects, manufactured home parks, and all mixed-use and non-residential projects shall include on the landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with trash bins, recycle bins, storage yards, service areas, loading docks, and equipment areas on the property.

(b) Visual screening. Structures shall be designed and screened so that windows and decks do not overlook neighboring residential properties in a manner that intrudes on privacy.

##### **2. Mechanical equipment.**

###### **(a) Applicability.**

(1) The standards of this section shall apply to all multifamily, mixed use and non-residential developments for the following types of equipment:

(i) Electrical and gas-powered mechanical equipment;

(ii) Ductwork and major plumbing lines used to heat, cool, or ventilate; and

(iii) Power systems for the building or site upon which the equipment is located.

(2) Roof or wall-mounted antennas and vent openings shall not be considered mechanical equipment for purposes of these screening standards. The standards of this section are not intended to apply to solar arrays, solar energy collection systems, or small wind energy systems, if such systems are otherwise in compliance with applicable building codes and development standards requirements.

###### **(b) Screening standards.**

(1) Roof-mounted mechanical equipment. Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to, or greater than the height of the mechanical equipment being screened. Roof-mounted mechanical equipment, except solar energy collection systems or evaporative coolers are prohibited on one or two-family residential dwellings.

(2) Wall-mounted mechanical equipment. Wall-mounted mechanical equipment, except air conditioning equipment (e.g., window AC units), that protrudes more than six (6) inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture of the subject building. Wall-mounted mechanical equipment that protrudes six (6) inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building.

(3) Ground-mounted mechanical equipment. Ground-mounted mechanical equipment shall be screened from view by landscaping, a fence, or a decorative wall that is integrated into the architecture of the structure. The fence or wall shall be of a height equal to, or greater than the height of the mechanical equipment being screened.

(4) Alternate screening. Alternate screening methods that meet the intent of this section may be approved by the planning and community services director. Alternative screening might include, but shall not be limited to, increased setbacks, increased landscaping, grouping the equipment on specific portions of a site, architectural elements, and painting or otherwise causing the equipment to blend with the site or structure.

### 3. Service, loading, and storage areas.

(a) Applicability. These screening requirements are applicable to all service, loading, and storage areas for multifamily, manufactured home parks, mixed use and non-residential developments. Applicants are encouraged to locate the types of features listed in this subsection where they are not visible from off-site, or from public areas of a site, so that screening is unnecessary.

#### (b) Placement.

(1) All service areas shall be placed at the rear, on the side of, or inside buildings.

(2) No service area shall be visible from a public right-of-way, or from adjacent residential areas. Administrative Relief (Sec. 27-1210 and Sec. 27-1614) may be granted to locate the service area in a visible location based on site circumstances.

(3) Service areas and access drives shall be located so they do not interfere with the normal activities of building occupants or visitors on driveways, walkways, in parking areas, or at entries.

#### (c) Outside storage areas and loading docks.

(1) All storage areas, service areas, and loading docks visible from any public street right-of-way must be screened according to one or more of the screening options provided in these standards. Property zoned industrial must also screen from view, all outside storage areas that are adjacent to, or can be seen from non-industrial zoned property.

(2) Screening shall be a minimum height of eight (8) feet to screen truck berths, loading docks, areas designated for permanent parking, or storage of heavy vehicles, equipment, or materials.

(3) Screening shall be long enough to screen the maximum size trailer that can be accommodated on site. Sites that can accommodate a full-size tractor-trailer shall provide a 48-foot wing wall, where wing walls are used.

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**Sec. 27-1209 Fences**

**A. APPLICABILITY**

1. Fences, walls, and hedges may be erected or maintained in any zoning district provided the height, setback, and material provisions outlined below are followed and a permit is secured.
2. "Fence" for the purposes of this section means any fence, wall or hedge.
3. No fence shall be erected or maintained in a public right-of-way.
4. Any fence greater than a height of three (3) feet and equal to or less than 7 feet in height shall require a fence permit (Sec. 27-1619) from the planning department. Fences over 7 feet in height will require a Zoning Compliance Permit (sec. 27-1628) from the planning department.

**B. HEIGHT**

Height, for the purposes of this section, shall be defined as the vertical distance from the top rail, board or wire to the ground directly below as measured from the inside of the fence.

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**E. MATERIALS**

**1. Residential and Commercial Zones**

(a) Generally: All fences in residential, agricultural, and commercial zoning districts shall be constructed from materials which are commonly used for fencing and shall not be constructed from railroad ties, wood pallets, tires, rubble, or salvaged material.

(1) Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work, and corrugated and uncorrugated metal panels framed in wood, vinyl, composite, brick or stone. Metal panels shall be coated with a non-reflective material.

(2) Materials not listed are subject to special review may be submitted for administrative relief (Sec. 27-1614).

(b) Bufferyard Fencing: Required bufferyard fencing may be constructed of any of the materials identified in Section E.1(a) along with powder-coated or vinyl coated chain link fence.

(1) Where an opaque screening fence is required between uses – such as residential next to heavy commercial or industrial – solid vinyl, wood or similar solid fencing, or powder-coated or vinyl-coated chain link fence with opaque (solid) inserts shall be installed.

(2) An existing fence of the proper height and materials that is located on the property line where a bufferyard fence is required may be retained. Where an existing fence is not compliant with this section, the property owner who is required to install the bufferyard fence shall replace the existing fence with a compliant fence.

## 2. Industrial Zones

All fences in industrial zoning districts shall be constructed from materials commonly used for fencing and shall not be constructed from railroad ties, wood pallets, rubble, or salvaged material.

(a) Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work, finished or coated steel or aluminum building panels.

(b) Materials not listed are subject to special review may be submitted for administrative relief (Sec. 27-1614).

## 3. Material Exception—Barbed Wire or Electric Fence

(a) Barbed wire and electrically charged fencing is allowed in agricultural, commercial (C3 and CX), and industrial districts. When electrically charged fences are used adjacent to a public right-of-way, the fence(s) shall be posted with warning signs or fluorescent markings at intervals not to exceed 150 feet.

(b) Barbed wire fencing is allowed in commercial (C3 and CX) or industrial zoning districts when such material is located not less than eight feet above grade.